

Message

From: Tomiak, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E43D67FE354A4D06BE80AFA6EB65E614-TOMIAK, ROB]
Sent: 4/18/2017 1:41:02 PM
To: Starfield, Lawrence [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8a89d6cd217d4254a5879abecb3f314e-Starfield, Lawrence]
CC: Cozad, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4a30a28be6a74d3da779bb7f7b34a876-COZAD, DAVID]; Marshall, Tom [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5d29134e5e32489b9ab0aeb262f55075-TMARSHAL]; Knight, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47fc4b0c90f94826a1d9a48381f4009f-Knight, Kel]
Subject: RE: Weekly Reports

Larry,

In follow-up to our conversation on Rosemont Mine (R9); I've heard back very clearly from OW that they have no intent of vetoing an Army Corps permit decision (if it goes that path). If true, since water quality/404 permit concerns appear to be R9's leading issue, there does not seem to be any scenario where a referral would be on solid ground. R9 would then be challenging the State determination and Army Corps decision related to water quality.....and without the apparent support of OW.

That leads us back to the concern we expressed with R9 indicating to the political team that referral is an impending decision (for the Administrator to make) without, it seems, properly vetting this with us and OW first. Also concerned that this is being elevated as predominately a NEPA issue....when the leading concerns are more accurately characterized as 404 issues.

It seems to us that it would be far better for R9 to recommend the specific mitigation (or other desired outcomes) that they would find acceptable, perhaps in the form of options to present (staffed via OW and OECA) to the political team/Administrator.

R9's local meetings are taking place today; we plan to press them shortly thereafter for their game plan and draft referral letter, if no change in their position.

V/R, Rob

From: Starfield, Lawrence
Sent: Tuesday, April 18, 2017 9:25 AM
To: Shinkman, Susan <Shinkman.Susan@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; DeLeon, Rafael <DeLeon.Rafael@epa.gov>; Tomiak, Robert <tomiak.robert@epa.gov>
Cc: Cozad, David <Cozad.David@epa.gov>; Miles, Erin <Miles.Erin@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Badalamante, Mark <Badalamante.Mark@epa.gov>
Subject: FW: Weekly Reports

FYI, attached is the collection of all NPM and Regional weekly reports from last week. Below are items that your office may want to look at from the Regions:

R1: Clean Air Act Administrative Consent Agreement Signed by the U.S. Navy (Cutler, Maine) (FFEO)

R2: CAA Consent Decree (CD) with Paulsboro Refining Company to be lodged in district court during week of April 17 or week of April 24. (OCE)

R2: On 4/11/17 Region 2 issued an administrative order to compel actions to correct conditions at the Toa Alta landfill in Puerto Rico (OCE)

R2: CERCLA Consent Decree entered on 4/10/17 for Curtis Specialty Papers Superfund Site. (OSRE)

R2: Superfund removal action order issued 4/13/17 for Beechnut Site in NY. (OSRE)

R5: Air Enforcement Case Against Indiana Whiskey Distillery (Lawrenceburg, Ind.) (OCE)

R5: EPA and WDNR coordinate on RCRA investigations of Mid-American Barrel (aka "Greif") facilities, Milwaukee, Wis. (OCE)

R4: Paducah Gaseous Diffusion Plant (Paducah, KY) – R4 and KY DEP continue to work through challenges related to site-wide prioritization of cleanup actions under the Federal Facility Agreement. (FFEO)

R4: Coronet Industries (Plant City, FL) – R4 Region 4 is completing action to transfer responsibility for oversight of the PRP-lead cleanup to the Florida DEP. The former phosphate rock mine and chemical plant has been addressed for the last several years using EPA's Superfund Alternative Approach (SAA). (OSRE)

R10: Announcement of Westward Seafoods Clean Air Act Settlement, Dutch Harbor, AK. (OCE)

R10: Puget Sound Federal Action Plan - Upcoming Regional Leaders Meeting (OSRE)

R9: Rosemont (AZ) Copper Mine: April 18, EPA will join the US Forest Service and the Corps of Engineers to discuss water quality and other issues related to the proposed Rosemont copper mine, which we have reviewed under NEPA and CWA. (OFA)

R9: PBF Refinery (CAA 112r): following our issuance of our CAA 112 r Notice of Findings, we met this week with the company to discuss our findings and made changes. (OCE)

R6: Notice of Intent to prepare an Environmental Impact Statement – Midcontinent Supply Header Interstate Pipeline Project (OFA)

R6: CWA Compliance Evaluation and Follow-up Inspections at Oil & Gas facilities – El Dorado, Arkansas (OCE)

R6: Court Enters Consent Decree with City of Tyler, Texas, resolving the liability of the City of Tyler, Texas, under the Clean Water Act. (OCE)

Larry